

**REMARKS**

The present Amendment cancels claims 1-4, 6-12 and 14-20 and adds new claims 21-24. Therefore, the present application has pending claims 21-24.

Claims 1, 3, 4, 6-9, 12, 14, 15 and 17-20 stand rejected under 35 USC §103(a) as being unpatentable over Murray (U.S. Patent No. 7,007,048) in view of Wong (U.S. Patent Application Publication No. 2001/0051955); claim 2 stands rejected under 35 USC §103(a) as being unpatentable over Murray in view of Wong and further in view of Bruning (U.S. Patent Application Publication No. 2002/0035667); claims 10 and 16 stand rejected under 35 USC §103(a) as being unpatentable over Murray in view of Wong and further in of Kanellos (U.S. Patent Application Publication No. 2003/0236788); and claim 11 stands rejected under 35 USC §103(a) as being unpatentable over Murray in view of Wong and Kanellos and further in view of Oliveira (U.S. Patent No. 6,766,359). As indicated above, claims 1-4, 6-12 and 14-20 were canceled. Therefore, these rejections with respect to claims 1-4, 6-12 and 14-20 are rendered moot. Accordingly, reconsideration and withdrawal of these rejections is respectfully requested.

It should be noted that the cancellation of claims 1-4, 6-12 and 14-20 was not intended nor should it be considered as an agreement on Applicants part that the features recited in claims 1-4, 6-12 and 14-20 are taught or suggested by any of the references of record whether said references are taken individually or in combination with each other. The cancellation of claims 1-4, 6-12 and 14-20 was simply intended to expedite prosecution of the

present application. Applicants hereby reserve their right to pursue the invention as set forth in claims 1-4, 6-12 and 14-20 in a continuing application.

The present invention is directed to a first storage system being connected to a computer and a computer system having the computer, the first storage system and a second storage system.

According to the present invention the first storage system includes a first storage device which stores data related to a first file system and a first controller which provides the first file system and a second file system to the computer and inquires of a second storage system having a second storage device storing data related to the second file system when receiving a request for access to the second file system.

Thus, the present invention is directed to a first storage system which provides a plurality of file systems to a computer such that when receiving an access request relating to a second file system stored in the second storage system, transmits to the second storage system not a command on a file unit basis requested from the computer but a command designating a storage location of the file. That is, according to the present invention the request from the computer is not transferred as is but is converted into a command designating the address of the second storage device being managed by the second storage system. Thereafter, the converted command is transferred to the second storage system which responds to the converted command.

The above described features of the present invention now more clearly recited in the claims are not taught or suggested by any of the references of record whether said references are taken individually or in combination with each other. Particularly, the above described features of the

present invention as now more clearly recited in the claims are not taught or suggested by Murray, Wong, Bruning, Kanellos or Oliveira whether said references are taken individually or in combination with each other as suggested by the Examiner.

Murray teaches a system for information life cycle management of storage data on a storage network architecture. Particularly, Murray teaches that the ILM controller manages data migration between the HFS SAN subsystem 22 and the ILM SAN subsystem 24. Further, Murray teaches that each of the HFS SAN subsystems 22 and the ILM SAN subsystem 24 includes an ILM head. Thus, Murray simply discloses a technique of migrating file data from one storage to another. The Examiner's attention is directed to col. 5, line 49 through col. 6, line 61 of Murray.

Wong teaches a technique of providing mirror file system (MFS) which is a virtual file system that links two or more file systems. Attention is directed to the description as set forth in the Abstract of Wong.

It is quite clear from the above that neither Murray or Wong teach or suggest the features of the present invention as now more clearly recited in claims 21-24. Particularly, neither Murray nor Wong teach or suggest a first storage system which provides first and second file systems to the computer and that upon receiving an access request relating to the second file system stored in the second storage system transmits a command designating a storage location of the data in the second storage device of the second storage system based on the access request as in the present invention as recited in the claims.

In contradistinction to that of the present invention as recited in the claims, although Murray discloses data migration between the HFS SAN subsystem 22 and the ILM SAN subsystem 24, there is no teaching or suggestion as to how to process an access request to, for example, the HFS SAN subsystem 22 relating to data stored on the ILM SAN subsystem 24 in order to be equivalent to that of the present invention as recited in the claims. In other words, there is no teaching or suggestion Murray that a first storage system has two file systems namely a first and second file system wherein the second file system relates to data stored on a second storage system external of the first storage system as in the present invention as recited in the claims.

Further, there is absolutely no teaching or suggestion at any point in either Murray or Wong of transmitting a command from a first storage system to a second storage system in response to a request to access a file from the a computer, wherein the file is stored in the second storage system as in the present invention, wherein the command is arranged not to include information for designating the file but to include information, for example, logical unit number, representing the storage location of the data in the second storage system as in the present invention as recited in the claims.

Thus, either of Murray and Wong fails to teach or suggest the features of the present invention as recited in the claims and as such when combined does not render obvious the claimed invention.

The above described deficiencies of Murray and Wong are not supplied by any of the other references of record namely Bruning, Kanellos and Oliveira. Therefore, combining the teachings of Murray and Wong in the manner suggested by the Examiner in the Office Action with one or more of

Bruning, Kanellos and Oliveira still fails to teach or suggest the features of the present invention and as such does not render obvious the claimed invention.

The remaining references of record have been studied. Applicants submit that they do not supply any of the deficiencies noted above with respect to the references utilized in the rejection of claims 1-4, 6-12 and 14-20.

In view of the foregoing amendments and remarks, applicants submit that claims 21-24 are in condition for allowance. Accordingly, early allowance of claims 21-24 is respectfully requested.

To the extent necessary, the applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C., Deposit Account No. 50-1417 (500.43772X00).

Respectfully submitted,

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